



## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

#### **Notice on Reallotment of Workforce Investment Act (WIA) Title I Formula Allotted Funds for Dislocated Worker Activities for Program Year (PY) 2012**

**AGENCY:** Employment and Training Administration, Labor.

**ACTION:** Notice.

**SUMMARY:** Public Law 105-220, the Workforce Investment Act (WIA), requires the Secretary of Labor (Secretary) to conduct reallotment of dislocated worker formula allotted funds based on State financial reports submitted as of the end of the prior program year (PY). This notice publishes the dislocated worker PY 2012 funds for recapture by State and the amount to be reallotted to eligible States.

**DATE:** This notice is effective [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

**FOR FURTHER INFORMATION CONTACT:** Ms. Amanda Ahlstrand, Acting Administrator, U.S. Department of Labor, Office of Workforce Investment, Employment and Training Administration, Room C-4526, 200 Constitution Avenue, NW, Washington, D.C. Telephone (202) 693-3052 (this is not a toll-free number) or fax (202) 693-3981.

#### **SUPPLEMENTARY INFORMATION:**

WIA Section 132(c) requires the Secretary to conduct reallotment of dislocated worker funds based on financial reports submitted by States as of the end of the prior program year. The

procedures the Secretary uses for recapture and reallocation of funds are described in WIA regulation at 20 CFR 667.150. Training and Employment Guidance Letter 19-11 advised States that reallocation of funds under WIA will occur during PY 2012 based on State obligations made in PY 2011. We will not recapture any PY 2012 funds for Adult and Youth programs because in no case do PY 2011 unobligated funds exceed the statutory requirement of 20 percent of State allotted funds. There was recapture of WIA Dislocated Worker funds in PY 2011, but no reallocation of those funds.

Excess unobligated State funds in the amount of \$69,038 will be captured from PY 2012 formula allotted funds for the Dislocated Worker program for one State and distributed by formula to PY 2012 dislocated worker funds for eligible States. The description of the methodology used for the calculation of the recapture/reallocation amounts and the distribution of the changes to PY 2012 formula allotments for dislocated worker activities are provided in Attachment C below.

WIA Section 132 (c) requires the Governor to prescribe equitable procedures for making funds available from the State and local areas in the event that the State is required to make funds available for reallocation.

# I. Attachment A

## U.S. DEPARTMENT OF LABOR Employment and Training Administration WIA Dislocated Worker Activities PY 2012 Reallotment to States

	Excess Unobligated PY 2011 Funds for Recapture in PY 2012	PY 2011 * Dislocated Worker Allotments for Eligible States	PY 2012 Reallotment Amount for Eligible States	Total PY 2012 Allotments	Total Adjustment to PY 2012 (Recapture/ Reallotment)	Revised Total PY 2012 Allotments
Alabama	0	16,103,978	1,050	15,469,879	1,050	15,470,929
Alaska	0	1,801,832	117	1,617,337	117	1,617,454
Arizona **	0	21,958,487	1,432	21,499,925	1,432	21,501,357
Arkansas	0	6,525,077	425	7,022,211	425	7,022,636
California	0	170,043,518	11,086	167,279,720	11,086	167,290,806
Colorado	0	13,947,918	909	16,138,114	909	16,139,023
Connecticut	0	12,099,340	789	12,425,813	789	12,426,602
Delaware	0	2,523,025	164	2,364,143	164	2,364,307
District of Columbia	69,038	0	0	2,584,544	(69,038)	2,515,506
Florida	0	81,146,334	5,290	77,488,229	5,290	77,493,519
Georgia	0	35,448,102	2,311	36,619,541	2,311	36,621,852
Hawaii	0	2,535,324	165	2,544,104	165	2,544,269
Idaho	0	4,234,037	276	4,848,656	276	4,848,932
Illinois	0	52,311,422	3,411	45,174,858	3,411	45,178,269
Indiana	0	22,936,088	1,495	19,764,183	1,495	19,765,678
Iowa	0	6,212,899	405	5,396,211	405	5,396,616
Kansas	0	5,771,477	376	6,269,130	376	6,269,506
Kentucky	0	14,962,447	976	14,426,545	976	14,427,521
Louisiana	0	8,755,097	571	10,053,020	571	10,053,591
Maine *	0	3,342,209	218	3,411,860	218	3,412,078
Maryland	0	14,280,338	931	13,446,336	931	13,447,267
Massachusetts	0	21,033,198	1,371	18,123,153	1,371	18,124,524
Michigan	0	51,206,873	3,339	37,950,243	3,339	37,953,582
Minnesota	0	12,869,603	839	12,016,430	839	12,017,269
Mississippi	0	10,134,604	661	10,347,245	661	10,347,906
Missouri	0	19,157,714	1,249	19,339,341	1,249	19,340,590
Montana	0	2,044,172	133	2,228,454	133	2,228,587
Nebraska	0	2,056,541	134	1,769,045	134	1,769,179
Nevada	0	14,310,158	933	14,404,698	933	14,405,631
New Hampshire	0	2,760,460	180	2,023,863	180	2,024,043
New Jersey	0	32,201,066	2,099	30,891,644	2,099	30,893,743
New Mexico **	0	5,171,897	337	4,691,620	337	4,691,957
New York	0	55,804,488	3,638	53,040,830	3,638	53,044,468
North Carolina	0	35,042,869	2,285	33,775,540	2,285	33,777,825
North Dakota	0	499,156	33	491,586	33	491,619
Ohio	0	44,012,508	2,869	37,410,700	2,869	37,413,569
Oklahoma	0	6,906,804	450	5,818,181	450	5,818,631
Oregon	0	15,054,272	981	14,179,357	981	14,180,338
Pennsylvania	0	37,914,512	2,472	33,628,882	2,472	33,631,354
Puerto Rico	0	13,675,088	892	13,792,527	892	13,793,419
Rhode Island	0	5,096,307	332	4,729,397	332	4,729,729
South Carolina	0	19,157,131	1,249	17,247,928	1,249	17,249,177
South Dakota	0	839,629	55	914,615	55	914,670
Tennessee	0	22,094,179	1,440	21,002,405	1,440	21,003,845

<b>Texas</b>	0	61,926,140	4,037	65,045,270	4,037	65,049,307
<b>Utah **</b>	0	6,053,827	395	6,236,314	395	6,236,709
<b>Vermont</b>	0	1,242,041	81	1,060,351	81	1,060,432
<b>Virginia</b>	0	18,453,304	1,203	16,429,934	1,203	16,431,137
<b>Washington</b>	0	22,238,858	1,450	22,715,887	1,450	22,717,337
<b>West Virginia</b>	0	4,552,003	297	4,805,556	297	4,805,853
<b>Wisconsin</b>	0	17,319,011	1,129	15,286,735	1,129	15,287,864
<b>Wyoming</b>	0	1,199,212	78	909,374	78	909,452
<b>STATE TOTAL</b>	<b>\$69,038</b>	<b>\$1,058,966,574</b>	<b>\$69,038</b>	<b>\$1,008,151,464</b>	<b>\$0</b>	<b>\$1,008,151,464</b>

\* Including rescissions based on the statutory formula and prior year recapture amount for Maine. No reallocation occurred; therefore, no reallocation amounts are included.

\*\* Includes Navajo Nation

1/11/2013

## II. Attachment B

**U.S. DEPARTMENT OF LABOR  
Employment and Training Administration  
WIA Dislocated Worker Activities  
PY 2012 Revised Allotments with Reallotment**

	Total				Available 7/1/12				Available 10/1/12		
	Original	Recapture/ Reallotment	Revised		Original	Recapture/ Reallotment	Revised		Original	Recapture/ Reallotment	Revised
<b>Alabama</b>	15,469,879	1,050	15,470,929		2,273,354	-	2,273,354		13,196,525	1,050	13,197,575
<b>Alaska</b>	1,617,337	117	1,617,454		237,673	-	237,673		1,379,664	117	1,379,781
<b>Arizona *</b>	21,499,925	1,432	21,501,357		3,159,491	-	3,159,491		18,340,434	1,432	18,341,866
<b>Arkansas</b>	7,022,211	425	7,022,636		1,031,939	-	1,031,939		5,990,272	425	5,990,697
<b>California</b>	167,279,720	11,086	167,290,806		24,582,353	-	24,582,353		142,697,367	11,086	142,708,453
<b>Colorado</b>	16,138,114	909	16,139,023		2,371,554	-	2,371,554		13,766,560	909	13,767,469
<b>Connecticut</b>	12,425,813	789	12,426,602		1,826,018	-	1,826,018		10,599,795	789	10,600,584
<b>Delaware</b>	2,364,143	164	2,364,307		347,419	-	347,419		2,016,724	164	2,016,888
<b>District of Columbia</b>	2,584,544	(69,038)	2,515,506		379,808	-	379,808		2,204,736	(69,038)	2,135,698
<b>Florida</b>	77,488,229	5,290	77,493,519		11,387,173	-	11,387,173		66,101,056	5,290	66,106,346
<b>Georgia</b>	36,619,541	2,311	36,621,852		5,381,373	-	5,381,373		31,238,168	2,311	31,240,479
<b>Hawaii</b>	2,544,104	165	2,544,269		373,865	-	373,865		2,170,239	165	2,170,404
<b>Idaho</b>	4,848,656	276	4,848,932		712,527	-	712,527		4,136,129	276	4,136,405
<b>Illinois</b>	45,174,858	3,411	45,178,269		6,638,607	-	6,638,607		38,536,251	3,411	38,539,662
<b>Indiana</b>	19,764,183	1,495	19,765,678		2,904,417	-	2,904,417		16,859,766	1,495	16,861,261
<b>Iowa</b>	5,396,211	405	5,396,616		792,993	-	792,993		4,603,218	405	4,603,623

<b>Kansas</b>	6,269,130	376	6,269,506	921,271	-	921,271	5,347,859	376	5,348,235
<b>Kentucky</b>	14,426,545	976	14,427,521	2,120,032	-	2,120,032	12,306,513	976	12,307,489
<b>Louisiana</b>	10,053,020	571	10,053,591	1,477,327	-	1,477,327	8,575,693	571	8,576,264
<b>Maine</b>	3,411,860	218	3,412,078	501,385	-	501,385	2,910,475	218	2,910,693
<b>Maryland</b>	13,446,336	931	13,447,267	1,975,987	-	1,975,987	11,470,349	931	11,471,280
<b>Massachusetts</b>	18,123,153	1,371	18,124,524	2,663,262	-	2,663,262	15,459,891	1,371	15,461,262
<b>Michigan</b>	37,950,243	3,339	37,953,582	5,576,924	-	5,576,924	32,373,319	3,339	32,376,658
<b>Minnesota</b>	12,016,430	839	12,017,269	1,765,857	-	1,765,857	10,250,573	839	10,251,412
<b>Mississippi</b>	10,347,245	661	10,347,906	1,520,565	-	1,520,565	8,826,680	661	8,827,341
<b>Missouri</b>	19,339,341	1,249	19,340,590	2,841,985	-	2,841,985	16,497,356	1,249	16,498,605
<b>Montana</b>	2,228,454	133	2,228,587	327,479	-	327,479	1,900,975	133	1,901,108
<b>Nebraska</b>	1,769,045	134	1,769,179	259,967	-	259,967	1,509,078	134	1,509,212
<b>Nevada</b>	14,404,698	933	14,405,631	2,116,822	-	2,116,822	12,287,876	933	12,288,809
<b>New Hampshire</b>	2,023,863	180	2,024,043	297,414	-	297,414	1,726,449	180	1,726,629
<b>New Jersey</b>	30,891,644	2,099	30,893,743	4,539,638	-	4,539,638	26,352,006	2,099	26,354,105
<b>New Mexico *</b>	4,691,620	337	4,691,957	689,450	-	689,450	4,002,170	337	4,002,507
<b>New York</b>	53,040,830	3,638	53,044,468	7,794,540	-	7,794,540	45,246,290	3,638	45,249,928
<b>North Carolina</b>	33,775,540	2,285	33,777,825	4,963,436	-	4,963,436	28,812,104	2,285	28,814,389
<b>North Dakota</b>	491,586	33	491,619	72,240	-	72,240	419,346	33	419,379
<b>Ohio</b>	37,410,700	2,869	37,413,569	5,497,636	-	5,497,636	31,913,064	2,869	31,915,933
<b>Oklahoma</b>	5,818,181	450	5,818,631	855,003	-	855,003	4,963,178	450	4,963,628
<b>Oregon</b>	14,179,357	981	14,180,338	2,083,707	-	2,083,707	12,095,650	981	12,096,631

<b>Pennsylvania</b>	33,628,882	2,472	33,631,354	4,941,885	-	4,941,885	28,686,997	2,472	28,689,469
<b>Puerto Rico</b>	13,792,527	892	13,793,419	2,026,861	-	2,026,861	11,765,666	892	11,766,558
<b>Rhode Island</b>	4,729,397	332	4,729,729	695,002	-	695,002	4,034,395	332	4,034,727
<b>South Carolina</b>	17,247,928	1,249	17,249,177	2,534,645	-	2,534,645	14,713,283	1,249	14,714,532
<b>South Dakota</b>	914,615	55	914,670	134,406	-	134,406	780,209	55	780,264
<b>Tennessee</b>	21,002,405	1,440	21,003,845	3,086,379	-	3,086,379	17,916,026	1,440	17,917,466
<b>Texas</b>	65,045,270	4,037	65,049,307	9,558,635	-	9,558,635	55,486,635	4,037	55,490,672
<b>Utah *</b>	6,236,314	395	6,236,709	916,449	-	916,449	5,319,865	395	5,320,260
<b>Vermont</b>	1,060,351	81	1,060,432	155,822	-	155,822	904,529	81	904,610
<b>Virginia</b>	16,429,934	1,203	16,431,137	2,414,438	-	2,414,438	14,015,496	1,203	14,016,699
<b>Washington</b>	22,715,887	1,450	22,717,337	3,338,181	-	3,338,181	19,377,706	1,450	19,379,156
<b>West Virginia</b>	4,805,556	297	4,805,853	706,194	-	706,194	4,099,362	297	4,099,659
<b>Wisconsin</b>	15,286,735	1,129	15,287,864	2,246,440	-	2,246,440	13,040,295	1,129	13,041,424
<b>Wyoming</b>	909,374	78	909,452	133,636	-	133,636	775,738	78	775,816
<b>STATE TOTAL</b>	<b>1,008,151,464</b>	<b>-</b>	<b>1,008,151,464</b>	<b>148,151,464</b>	<b>-</b>	<b>148,151,464</b>	<b>860,000,000</b>	<b>-</b>	<b>860,000,000</b>

\* Includes funds allocated to the Navajo Nation

01/11/13

### **III. Attachment C**

#### **Dislocated Worker State Formula PY 2012 Reallotment Methodology**

Reallotment Summary: This year ETA analyzed State WIA Dislocated Worker 9130 financial reports from the June 30, 2012 reporting period for program year (PY) 2011 to determine if any State had unobligated funds in excess of twenty percent of their PY 2011 allotment amount. If so, we will recapture that amount from PY 2012 funds and reallot among eligible States.

- Source Data: State WIA 9130 financial status reports
- Programs: State Dislocated Worker (DW)  
State Rapid Response  
Local Dislocated Worker (includes local administration)
- Period: June 30, 2012
- Years covered: PY 2011 and FY 2012

#### Reallotment Calculations:

- (1) ETA computes the State's total amount of PY 2011 State obligations (including Fiscal Year (FY) 2012 funds) for the Dislocated Worker (DW) program. State obligations are considered to be the total of the DW statewide activities obligations, Rapid Response obligations, and 100 percent of local DW program authorized (which includes local admin authorized). The State's total unobligated balance for the DW program is the PY 2011 DW allotment amount (minus the total DW obligations) (adjusted for recapture/reallotment and statutory formula-based rescissions, if applicable. This year a rescission was applicable to all States that the recapture for Maine was applicable, but reallotment for all other States was not applicable). (For reallotment purposes, DW allotted funds transferred to the Navajo



Nation are added back to Arizona, New Mexico, and Utah Local DW authorized amounts.)

- (2) Section 667.150 of the regulations provides that the recapture calculations exclude the reserve for state administration. Data on State administrative authorized and obligated amounts are not normally available on WIA 9130 financial reports. In the preliminary calculation to determine States potentially liable for recapture, the DW portion of the State administrative amount authorized is estimated by calculating the five percent maximum amount for State DW administrative costs using the DW State allotment amounts (adjusted for recapture/reallotment and statutory formula-based rescissions). For the DW portion of the State administrative amount obligated, 100 percent of the estimated authorized amount is treated as obligated, although this estimate of State administration obligations is limited by reported statewide activities obligations overall.
- (3) ETA requests that those States potentially liable for recapture provide additional data on state administrative amounts which are not regularly reported on the PY 2011 and FY 2012 statewide activities reports. The additional information requested is the amount of statewide activities funds that were authorized and obligated for State administration as of June 30, 2012. If a State provides actual State DW administrative costs, authorized and obligated, in the comments section of revised 9130 reports, this data replaces the estimates. Based on the requested additional actual data submitted by potentially liable States on revised reports, the DW total allotment for these States is reduced by the DW portion of the State administrative amount authorized. Likewise, the DW total obligations for these States are reduced

by the DW portion of the obligated State administrative funding.

- (4) States (including those adjusted by State administrative data) with unobligated balances exceeding 20 percent of the combined PY2011/FY2012 DW allotment amount (adjusted for recapture/reallotment and statutory formula-based rescissions) will have their PY 2012 DW funding (from the FY 2013 portion) reduced (recaptured) by the amount of the excess.
- (5) Finally, States with unobligated balances which do not exceed 20 percent (eligible states) will receive a share of the total recaptured amount (based on their share of the total PY 2011/FY2012 DW allotments of eligible states) in their PY 2012 DW funding (FY 2013 portion).

Signed at Washington, D.C. this 19th day of March, 2013.

Jane Oates,

Assistant Secretary for the Employment and Training Administration

**Billing Code 4510-30**

**[FR Doc. 2013-07570 Filed 04/01/2013 at 8:45 am; Publication Date: 04/02/2013]**